



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Tom Cross

**SYNOPSIS AS INTRODUCED:**

15 ILCS 20/50-5

was 15 ILCS 20/38

Amends the State Budget Law of the Civil Administrative Code of Illinois. Makes a technical change concerning submission of the State budget.

LRB093 19247 SJM 44982 b

1 AN ACT concerning the State budget.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Budget Law of the Civil Administrative  
5 Code of Illinois is amended by changing Section 50-5 as  
6 follows:

7 (15 ILCS 20/50-5) (was 15 ILCS 20/38)

8 Sec. 50-5. Governor to submit State budget. The Governor  
9 shall, as soon as possible and not later than the second  
10 Wednesday in April in 2003 and the third Wednesday in February  
11 of each year beginning in 2004, submit a State budget,  
12 embracing in that State budget ~~therein~~ the amounts recommended  
13 by the Governor to be appropriated to the respective  
14 departments, offices, and institutions, and for all other  
15 public purposes, the estimated revenues from taxation, the  
16 estimated revenues from sources other than taxation, and an  
17 estimate of the amount required to be raised by taxation. The  
18 amounts recommended by the Governor for appropriation to the  
19 respective departments, offices and institutions shall be  
20 formulated according to the various functions and activities  
21 for which the respective department, office or institution of  
22 the State government (including the elective officers in the  
23 executive department and including the University of Illinois  
24 and the judicial department) is responsible. The amounts  
25 relating to particular functions and activities shall be  
26 further formulated in accordance with the object  
27 classification specified in Section 13 of the State Finance  
28 Act.

29 The Governor shall not propose expenditures and the General  
30 Assembly shall not enact appropriations that exceed the  
31 resources estimated to be available, as provided in this  
32 Section.

1 For the purposes of Article VIII, Section 2 of the 1970  
2 Illinois Constitution, the State budget for the following funds  
3 shall be prepared on the basis of revenue and expenditure  
4 measurement concepts that are in concert with generally  
5 accepted accounting principles for governments:

- 6 (1) General Revenue Fund.
- 7 (2) Common School Fund.
- 8 (3) Educational Assistance Fund.
- 9 (4) Road Fund.
- 10 (5) Motor Fuel Tax Fund.
- 11 (6) Agricultural Premium Fund.

12 These funds shall be known as the "budgeted funds". The  
13 revenue estimates used in the State budget for the budgeted  
14 funds shall include the estimated beginning fund balance, plus  
15 revenues estimated to be received during the budgeted year,  
16 plus the estimated receipts due the State as of June 30 of the  
17 budgeted year that are expected to be collected during the  
18 lapse period following the budgeted year, minus the receipts  
19 collected during the first 2 months of the budgeted year that  
20 became due to the State in the year before the budgeted year.  
21 Revenues shall also include estimated federal reimbursements  
22 associated with the recognition of Section 25 of the State  
23 Finance Act liabilities. For any budgeted fund for which  
24 current year revenues are anticipated to exceed expenditures,  
25 the surplus shall be considered to be a resource available for  
26 expenditure in the budgeted fiscal year.

27 Expenditure estimates for the budgeted funds included in  
28 the State budget shall include the costs to be incurred by the  
29 State for the budgeted year, to be paid in the next fiscal  
30 year, excluding costs paid in the budgeted year which were  
31 carried over from the prior year, where the payment is  
32 authorized by Section 25 of the State Finance Act. For any  
33 budgeted fund for which expenditures are expected to exceed  
34 revenues in the current fiscal year, the deficit shall be  
35 considered as a use of funds in the budgeted fiscal year.

36 Revenues and expenditures shall also include transfers

1 between funds that are based on revenues received or costs  
2 incurred during the budget year.

3 By March 15 of each year, the Economic and Fiscal  
4 Commission shall prepare revenue and fund transfer estimates in  
5 accordance with the requirements of this Section and report  
6 those estimates to the General Assembly and the Governor.

7 For all funds other than the budgeted funds, the proposed  
8 expenditures shall not exceed funds estimated to be available  
9 for the fiscal year as shown in the budget. Appropriation for a  
10 fiscal year shall not exceed funds estimated by the General  
11 Assembly to be available during that year.

12 (Source: P.A. 93-1, eff. 2-6-03.)